

Colleen Flynn, State Bar No. 234281
LAW OFFICE OF COLLEEN FLYNN
3435 Wilshire Blvd., Suite 2910
Los Angeles, CA 90010
Telephone: (213) 252-9444
Fax: (213) 252-0091
cflynnlaw@yahoo.com

Attorney for Petitioner

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ADRIAN RISKIN,

Petitioner,

vs.

HISTORIC CORE BUSINESS
IMPROVEMENT DISTRICT PROPERTY
OWNERS ASSOCIATION,

Respondent.

Case No. BS174718

JOINT STIPULATION REGARDING
TIMETABLE FOR RESPONDENT'S
FUTURE RESPONSES TO PETITIONER'S
CPRA REQUESTS

([Proposed] Order filed concurrently herewith)

TO THE HON. JUDGE JAMES C. CHALFANT:

Petitioner Adrian Riskin and Respondent Historic Core Business Improvement District Property Owners Association, by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on August 13, 2018, Petitioner filed his Petition. His second cause of action, under the California Constitution, Art. I § 3 subd. (b)(2), requested the "Court enter an order declaring that for all future CPRA requests from Petitioner to Respondent, Respondent shall produce all responsive documents, subject to properly claimed exemptions, within 30 days, absent a showing of extraordinary hardship."

1 WHEREAS, the California Constitution recognizes that the “people have the right of
2 access to information concerning the conduct of the people’s business, and therefore, the
3 meetings of public bodies and the writings of public officials and agencies shall be open to
4 public scrutiny.” Cal. Const., Art. I §3, subd. (b)(1). This right is self-executing as the provisions
5 of the California Constitution are mandatory and prohibitory. Cal. Const., Art. I §26.

6 WHEREAS, at the trial setting conference on November 20, 2018, the Court ordered the
7 parties to meet and confer, including a face-to-face meeting with Respondent’s decision-maker,
8 to see if the parties could settle the matter or at least narrow the issues to be resolved.

9 WHEREAS, on December 21, 2018, pursuant to the Court’s directive, Petitioner Adrian
10 Riskin and Blair Besten, Respondent’s Executive Director met, with their respective counsel, at
11 the office of Respondent’s counsel, Jeff Briggs. The parties agreed that for all future CPRA
12 requests from Petitioner to Respondent requesting email records, Respondent will search for
13 responsive records and respond to Petitioner’s requests within 28 days and will provide an
14 estimated date of production calculated as follows: by maximum of $(2, N/250)$ weeks, where N is
15 the total number of responsive emails and $N/250$ is to be rounded up to the next whole number
16 when it is reasonable to do so. Thus Respondent will endeavor to produce responsive emails in
17 no more than 4 weeks (28 days) plus a maximum of $(2, N/250)$ weeks. (For example, if there are
18 1,000 responsive emails, production must be made within 8 weeks – 4 weeks to respond and 4
19 weeks to produce the records). Including the value 2 has the effect of affording Respondent no
20 less than 6 weeks to respond and produce records no matter how few emails there are. All parties
21 will be flexible when there’s good reason to be. Respondent will provide all responsive non-
22 exempt emails all in one batch when processing is complete.

24 WHEREAS, the parties agree that entry of the Court’s order enforcing these terms will
25 moot Petitioner’s second cause of action as having been resolved.

26 WHEREFORE THE PARTIES, through their counsel of record, request this Court issue
27 the following order:
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1 For all future CPRA requests from Petitioner to Respondent requesting email records,
2 Respondent will search for responsive records and respond to Petitioner's requests within 28
3 days and will provide an estimated date of production calculated as follows: by maximum of
4 $(2, N/250)$ weeks, where N is the total number of responsive emails and $N/250$ is to be rounded
5 up to the next whole number when it is reasonable to do so. Thus Respondent will endeavor to
6 produce responsive emails in no more than 4 weeks (28 days) plus a maximum of $(2, N/250)$
7 weeks. (For example, if there are 1,000 responsive emails, production must be made within 8
8 weeks – 4 weeks to respond and 4 weeks to produce the records). All parties will be flexible
9 when there's good reason to be. Respondent will provide all responsive non-exempt emails all in
10 one batch when processing is complete.

11 This order resolves Petitioner's second cause of action which is now deemed moot as
12 having been resolved.

13 IT IS SO STIPULATED.

14 DATED: July 8, 2019

15 Respectfully Submitted,

16 LAW OFFICE OF COLLEEN FLYNN
17 Attorney for Petitioner

18 /s/ Colleen Flynn¹

COLLEEN FLYNN

19 LAW OFFICE OF JEFFREY BIGGS
20 Attorney for Respondent

21 /s/ Jeffrey Briggs

22 JEFFREY BRIGGS

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28 ¹ I, Colleen Flynn, hereby attest that Respondent's counsel has concurred in the filing of this document.

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Petitioner,

HISTORIC CORE BUSINESS
IMPROVEMENT DISTRICT PROPERTY
OWNERS ASSOCIATION,

Respondent.

Case No. BS174718

[PROPOSED] ORDER GRANTING JOINT
STIPULATION REGARDING TIMETABLE
FOR RESPONDENT'S FUTURE
RESPONSES TO PETITIONER'S CPRA
REQUESTS

[PROPOSED] ORDER

Having reviewed the Parties' Joint Stipulation Regarding Timetable for Respondent's Future Responses to Petitioner's CPRA Requests, and GOOD CAUSE appearing therefore, it is hereby ordered that for all future CPRA requests from Petitioner to Respondent requesting email records, Respondent will search for responsive records and respond to Petitioner's requests within 28 days and will provide an estimated date of production calculated as follows: by maximum of $(2, N/250)$ weeks, where N is the total number of responsive emails and $N/250$ is to be rounded up to the next whole number when it is reasonable to do so. Thus Respondent will endeavor to produce responsive emails in no more than 4 weeks (28 days) plus a maximum of $(2, N/250)$ weeks. (For example, if there are 1,000 responsive emails, production must be made within 8 weeks – 4 weeks to respond and 4 weeks to produce the records). All parties will be flexible when there's good reason to be. Respondent will provide all responsive non-exempt emails all in one batch when processing is complete.

1 This order resolves Petitioner's second cause of action which is now deemed moot as
2 having been resolved by the parties' stipulation.

3 IT IS SO ORDERED.
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6 Dated: _____

7 Honorable James C. Chalfant
8 Superior Court Judge
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